

EXTERNAL (for general distribution)

**AI Index: AMR 51/108/92
Distr: UA/SC**

25 September 1992

Further information on EXTRA 50/91 (AMR 51/25/91 of 7 August 1991), and follow-ups AMR 51/29/91 of 22 August 1991; AMR 51/22/92 of 13 February 1992; AMR 51/23/92 of 20 February 1992; AMR 51/45/92 of 31 March 1992; AMR 51/52/92 of 14 April 1992; AMR 51/96/92 of 7 August 1992; and AMR 51/99/92 of 27 August 1992 - Death Penalty

**USA (Texas): Bernard AMOS
 Leonel HERRERA**

Bernard Amos, black, is scheduled to be executed by the state of Texas, USA, on 8 October 1992. This is the third execution date that Bernard Amos has received this year and it is likely to go ahead as scheduled.

If carried out, this would be the eleventh execution in Texas this year; the highest number of executions carried out by any US state in any one year under present death penalty laws. Amos would be the twenty-sixth prisoner executed in the US this year: also a record number of executions for any one year since the death penalty was reinstated.

Leonel Herrera's case is under review by the US Supreme Court. Oral argument is scheduled for 7 October 1992, and a ruling is expected around the end of the year. No further action is required on his behalf at present. For further details of his case, please refer to AMR 51/45/92 of 31 March 1992, and AMR 51/52/92 of 14 April 1992.

BACKGROUND INFORMATION

As of April 1992, there were 349 prisoners under sentence of death in Texas. Ten prisoners have been executed by the state so far this year, the most recent being James Demouchette, on 21 September 1992. Fifty-six prisoners have been executed in Texas since 1976, when a US Supreme Court ruling permitted individual states to reinstate the death penalty for murder. The method of execution is lethal injection.

Under Texas clemency rules, the governor may commute a death sentence only if she receives a favourable clemency recommendation from the 18-member Board of Pardons and Paroles. Amnesty International remains concerned about the reluctance of the Board to hold full clemency hearings in death penalty cases. (As far as the organization is aware, the Board has convened only twice: once in 1987 and once 1992). Clemency has not been granted to any prisoner under sentence of death in Texas since the death penalty was reintroduced in the state in the mid 1970's.

Research conducted in different countries has failed to reveal convincing evidence that the death penalty deters serious crime more effectively than

other punishments. No decline in homicides has been identifiable in those US states which now execute prisoners on a regular basis. In its annual national crime report, released in August 1992, the Federal Bureau of Investigation (FBI) reported that violent crime in Texas had increased during 1991 over the previous year by almost three times as much as that of the nation as a whole during the same period. Five prisoners were executed in Texas in 1991.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading punishment, as proclaimed in the Universal Declaration of Human Rights.

Page 2 of 8FU EXTRA 50/91

RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters preferably in English or your own language:

- urging the Board of Pardons and Paroles to convene a clemency hearing to consider the case of Bernard Amos, and asking the Board to recommend that Governor Richards grant clemency to Bernard Amos by commuting his sentence of death;

- expressing deep concern at the increasing numbers of executions being scheduled in Texas, and at the state's high rate of execution;

- stressing that the death penalty has not been shown in any circumstance to deter violent crime more effectively than other punishments, and referring to the increase in violent crime in Texas in 1991, despite its use of the death penalty.

APPEALS TO

Texas Board of Pardons and Paroles
8610 Shoal Creek Boulevard, PO Box 13401
Capitol Station
Austin, TX 78711-3401
USA

Salutation: Dear Board Members

Telegrams: Texas Board Pardons/Paroles, Austin, TX 78711, USA

Faxes: + 1 512 406 5231

Telephone: + 1 512 406 5852

COPIES TO:

The Honorable Ann Richards
Governor of Texas
Office of the Governor
PO Box 12428, Capitol Station
Austin, TX 78711
USA

Faxes: +1 512 463 1849

The Letters Editor
Austin-American Statesman
Box 670
Austin, TX 78767
USA

Fax: +1 512 445 3679

The Letters Editor

Houston Chronicle

801 Texas Avenue

Houston, TX 77002

USA

Faxes: +1 713 220 7868

and to diplomatic representatives of the USA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY, TO ARRIVE BY 7 OCTOBER 1992.